

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:16-CR-00110-D  
No. 7:19-CV-00103-D

**Edwin Leo Brown,**

Petitioner

v.

**United States of America,**

Respondent.

**Scheduling Order**

Judge Dever has referred this matter to the undersigned for entry of a Scheduling Order. (D.E. 89). After hearing from the parties, the court sets these deadlines:

**1. Scope of Discovery**

The scope of discovery in this matter is limited to Brown's claim that he received ineffective assistance of counsel when deciding whether to plead guilty without a plea agreement.

**2. Discovery Plan**

a. All discovery shall be served or initiated in time to be completed by Monday, November 30, 2020. Discovery requests should be served sufficiently far in advance to allow for the response to be served prior to the end of the discovery period.

b. Whenever possible, counsel should try to exchange documents or information informally. To the extent that informal discovery produces relevant information, the parties may confirm the information through requests for admission. But the court will authorize a limited number of interrogatories and requests for production of documents in case the parties cannot agree to informally produce documents and information.

c. Each party may serve on any other party up to five interrogatories, including all discrete subparts.

d. Each party may serve on any other party up to five Requests for Production pursuant to Rule 34.

e. Any objection to Interrogatories or Requests for Production shall be stated with particularity. Boilerplate objections (e.g. objections without a particularized basis, such as “overbroad, irrelevant, burdensome, not reasonably calculated to identify admissible evidence”) may be treated as a failure to answer pursuant to Rule 37(a)(4).

f. With respect to Requests for Production, any objections must state whether any responsive materials are being withheld on the basis of that objection. If a party is only objecting to part of a request, they must specify the part of the Request objected to and permit inspection of documents responsive to the remainder of the request.

g. Each party may serve on any other party up to 25 Requests for Admission pursuant to Rule 36.

h. Each party may take one deposition under Rule 30. Absent a court order or stipulation by the parties, the length of each deposition shall be limited to seven hours on one day. Time taken for breaks and recesses shall not count towards the hour limit. The court grants leave to take the depositions of any deponents who are confined in prison. Fed. R. Civ. P. 30(a)(2)(B).

Dated: September 14, 2020

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Robert T. Numbers, II  
United States Magistrate Judge